

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JAMES ALFRED SMITH, JR.,

Petitioner,

ORDER

v.

Case No. 23-cv-522-wmc

SECRETARY KEVIN A. CARR and
WARDEN MILWAUKEE SECURE
DETENTION FACILITY,

Respondents.

Petitioner James Alfred Smith, Jr. seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has neither paid the \$5 filing fee nor requested leave to proceed without prepayment of the filing fee. For this case to move forward, petitioner must pay the \$5 filing fee or submit a properly supported motion for leave to proceed without prepayment of the filing fee no later than August 24, 2023. Any motion for leave to proceed without prepayment of the filing fee must include a certified copy of an inmate trust fund account statement (or institutional equivalent) for the six-month period beginning approximately February 2, 2023 through the date of the petition, August 2, 2023.

ORDER

IT IS ORDERED that:

1. Petitioner James Alfred Smith, Jr. may have until August 24, 2023, to pay the \$5 filing fee or submit a properly supported motion for leave to proceed without prepayment of the filing fee.

2. If petitioner does not submit either the \$5 payment or a motion for leave to proceed without prepayment before August 24, 2023, I will assume that petitioner wishes to withdraw this petition.

Entered this 3rd day of August, 2023.

BY THE COURT:

/s/
ANDREW R. WISEMAN
United States Magistrate Judge